

REMARKS

In the present Amendment, the claims have been amended to overcome improper multiple dependency objections. Upon entry of the amendments, which is respectfully requested, claims 1-18 will be pending in the application, with claims 13-16 having been withdrawn from consideration.

Paragraph No. 1: Election/Restriction

In Paragraph No. 1 of the Action, the Examiner acknowledges Applicants' election with traverse of Group I, claims 1-12. Per the Examiner, Applicants' traversal is not found persuasive because "special technical feature" in Group I, a multilayer-coated substrate comprising two or more superposed layers, which comprise an organopolysiloxane, and the outermost layer of which has projections, is not found in Group II. Furthermore, the Examiner says, the "special technical features" of Group I do not define a contribution over the prior art as allegedly evidenced by Andrus '596 in the art rejections made in the present Action.

The Examiner states the requirement is still deemed proper and is therefore made final.

Applicants respectfully submit that the restriction requirement has no merit, for the reasons discussed in the Response to Restriction Requirement filed March 7, 2002. The Examiner in the present Action has not responded to or addressed those reasons. Accordingly, Applicants intend to petition the Commissioner to review and withdraw the restriction requirement. A petition is being filed concurrently.

Paragraph No. 2: Claim Objections

In Paragraph No. 2 of the Action, claims 4-7, 9, 11 and 12 are objected to as being in improper form because a multiple dependent claim cannot depend from any other multiple dependent claim. Accordingly, the Examiner says, claims 4-7, 9, 11 and 12 have not been further treated on the merits.

To overcome the objection, Applicants have amended the claims in question to avoid improper multiple dependencies.

Accordingly, the Examiner is respectfully requested to reconsider and withdraw the objections to claims 4-7, 9, 11 and 12.

Paragraph Nos. 3 and 4: Claim Objections

In Paragraph Nos. 3 and 4, claims 4 and 5 are objected to because of the following alleged informalities: the expression “wherein in” in line 2, respectively. Appropriate correction is required.

Applicants respectfully traverse the objection. In claims 4 and 5, the expression “wherein in” is the appropriate and proper expression in the context of each claim.

Accordingly, the Examiner is respectfully requested to reconsider and withdraw the objection.

Paragraph Nos. 6 and 7: Claim Rejections - 35 U.S.C. § 102 and §§ 102/103

In Paragraph No. 6 of the Action, claims 1, 2, 4 and 6 are rejected under 35 U.S.C. 102(b) as allegedly being anticipated by Andrus (5,212,596).

In Paragraph No. 7 of the Action, claim 5 is rejected under 35 U.S.C. 102(b) as allegedly anticipated by or, in the alternative, under 35 U.S.C. 103(a) as allegedly obvious over Andrus.

Applicants submit that these rejections should be withdrawn because Andrus does not disclose or render obvious the multilayer-coated substrate of the present invention.

As recited in present claim 1, the present invention relates to a multilayer-coated substrate. The multilayer-coated substrate includes a substrate and united therewith two or more superposed layers which contain an organopolysiloxane. Furthermore, the outermost layer of the superposed layers has projections, and the projections have a dispersion of height of 1 μm or less.

The Examiner states that Andrus discloses a nonreflective article comprising an outer layer with angle projections, an inner layer, and a substrate (Figure 3). Both the outer layer and inner layer, the Examiner says, preferably comprise silicone (organopolysiloxane) (col. 5, lines 5-10). The Examiner states that the height of the pyramids or ridges is typically less than 250 microns (col. 6, lines 36-37), and the inner and outer layer are from about 10 to 250 microns (claims 6 and 7).

A distinction between the present invention and Andrus is the recitation in present claim 1 that the projections have a dispersion of height of 1 μm or less. In this regard, Andrus discloses placing silicone resin on a deformable substrate such as a film or metal foil, and embossing with a concave and convex shaped roller, thereby forming concave and convex shapes of 50 μm or less on the silicone resin surface. See, e.g., Andrus at col. 6, line 59 to col. 7, line 11. Applicants believe that such a formation method will not produce a surface which satisfies the requirement of "the projections having a dispersion of height of 1 μm or less" as

recited in claim 1 of the present application.

In cases where the substrate is a film or a metal foil, such as in Andrus, contact between a roller and such a substrate tends to become uneven. Further, it is not believed that the silicone resin reaches to all over the corners of the concave and convex surface of the roller in a short period of time that the roller contacts the substrate.

Because Andrus does not disclose or suggest a multilayer-coated substrate in which the outermost layer has projections and the projections have a dispersion of height of 1 μm or less, Andrus does not anticipate or render obvious the multilayer-coated substrate of the present invention.

In view of the above, the Examiner is respectfully requested to reconsider and withdraw the rejections of claims 1, 2 and 4-6 over Andrus.

Claims 1-12 are rejected under 35 U.S.C. 102(e) as allegedly anticipated by or, in the alternative, under 35 U.S.C. 103(a) as allegedly obvious over Takematsu et al. (6,207,263).

Applicants submit that this rejection should be withdrawn because Takematsu et al. is not prior art with respect to the present application.

Takematsu et al. has an effective date as a reference of January 15, 1998. The present application claims priority to a Japanese application filed on October 24, 1997. To remove Takematsu et al. as a reference, Applicants submit herewith a sworn English translation of their priority document. The priority document supports the present claims in the manner required by 35 U.S.C. § 112. In this regard, the Examiner will kindly compare claims 1-12 of the present application as filed with claims 1-12 at pages 1-2 of the priority document translation.

In view of the above, the Examiner is respectfully requested to withdraw the rejection based on Takematsu et al.

Allowance is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Brett S. Sylvester", written over a horizontal line.

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APPENDIX
VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

The claims are amended as follows:

4. (ONCE AMENDED) The multilayer-coated substrate of [any one of claims 1 to 3] claim 1 or 2, wherein in the two or more layers, the ratio of the thickness of the thickest layer to that of the thinnest layer is from 1 to 5.

5. (ONCE AMENDED) The multilayer-coated substrate of [any one of claims 1 to 4] claim 1 or 2, wherein in the two or more layers, the coefficients of linear expansion of the respective layers change gradationally from the substrate toward the outermost layer.

6. (ONCE AMENDED) The multilayer-coated substrate of [any one of claims 1 to 5] claim 1 or 2, wherein the two or more layers are two layers.

7. (ONCE AMENDED) The multilayer-coated substrate of [any one of claims 1 to 6] claim 1 or 2, wherein the substrate is a transparent body.

9. (ONCE AMENDED) The multilayer-coated substrate of claim 7 [or 8], wherein the two or more layers satisfy the relationship

$$t_x/n_x = \lambda / 4$$

wherein t_x is the thickness of an arbitrary layer, n_x is the refractive index thereof, and λ is the wavelength of the transmitted light.

11. (ONCE AMENDED) The multilayer-coated substrate of claim 9 [or 10], wherein the transmitted light has a wavelength of from 380 to 2,000 nm.

12. (ONCE AMENDED) The multilayer-coated substrate of [any one of claims 1 to 10] claims 1 or 2, wherein in the two or more layers, the outermost layer has been formed from methyltriethoxysilane and a lower layer has been formed from methyltriethoxysilane or tetraethoxysilane.